IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 205 of 2003

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

PRAMODINI CHANDRAKANT PUROHIT

Versus

STATE OF GUJARAT

Appearance:

MR IS SUPEHIA for Petitioner No. 1

MR PRADIP D. BHATE, AGP, for Respondent No. 1,3

MR SUNIL C PATEL for Respondent No. 2

RULE SERVED for Respondent No. 4

RULE UNSERVED for Respondent No. 5

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 14/07/2004

ORAL JUDGEMENT

1. By this petition the petitioner has prayed for a direction of this Court directing the respondents to take a decision whether the petitioner is entitled to family

pension and, if yes, to pay the amount due and payable to her as per law along with interest at the rate of 9%.

2. Looking to the particular facts and circumstances of the case, the respondent no.1 shall direct any Deputy Secretary to consider the case of the petitioner treating this petition as a representation of the petitioner. The concerned authority shall, after considering the materials and the reply which are filed by the respondent authority and also after giving an opportunity of being heard to the petitioner, pass a reasoned order. Such decision will be final and it will not be open for the petitioner to challenge the same. The concerned authority shall decide the representation within a period of three months from the date of receipt of writ of this court and the reasoned order shall be communicated to the petitioner within a period of two weeks thereafter.

3. The petition is, therefore, partly allowed. Rule is made absolute to the aforesaid extent. No order as to costs.

[K.S. JHAVERI, J.]

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